



CALIFORNIA HIGH-SPEED RAIL AUTHORITY

EXECUTIVE/ADMINISTRATIVE COMMITTEE MEETING MINUTES

January 6, 2010

SACRAMENTO, CALIFORNIA

Members Present: Chairman Curt Pringle
Fran Florez
Quentin Kopp

The public meeting of the California High-Speed Rail Authority Executive/Administrative Committee was called to order on January 6, 2010 at 3:06p.m. at the State Capitol, Senate Hearing Room #2040 in Sacramento, California.

Chairman Curt Pringle called the meeting to order. Committee members Fran Florez and Quentin Kopp were present.

Chairman Pringle called for public comment with one public speaker responding. A request was made to have the audio recordings of the committee meetings put on the website.

The November 4, 2009 and the December 2, 2009 committee meeting minutes were approved as written.

The Authority's legal counsel and staff discussed the necessary policies and procedures to guide the Board's activities and define the Board Members' role as the project moves forward. Specifically, Mr. Spanos, legal counsel from the California Attorney General's office, provided an overview of the policies and procedures; acknowledging it was a work in progress. Chairman Pringle used the OCTA's Policies and Procedures as an example and requested Mr. Spanos to review other transportation agencies policies and procedures to enable the CHSRA to be more precise by definition in amending the current Board Policies and Procedures. Mr. Kopp mentioned the Board committees need to be addressed in the Policies & Procedures. Mr. Spanos will provide the Board with revisions at the March meeting.

Staff reviewed the Authority's Conflict of Interest Code and suggested revisions. Chairman Pringle asked Mr. Spanos if the Conflict of Interest Code would require contractors and sub-contractors to submit Form #700 and exactly what the parameters of the code would be regarding gifts. Chairman Pringle called for input from the other committee members regarding consultant's conflict issues and Mr. Spanos indicated that any consultant who is involved in the making of governmental decisions is subject to the Conflict of Interest Code, and therefore must submit Form #700.

A discussion took place regarding the FRA prohibiting the receipt of gifts and receiving gifts being banned when Federal money is involved in a project. Chairman Pringle asked that the Conflict of Interest Code be incorporated into the final Policies and Procedures document so they would be in one place.

Chairman Pringle requested more information be included in the Policies and Procedures on Board and Committee meetings and The Brown Act requirements; specifically on Board members joining by telephone, such as Mr. Umberg, as well as the requirements of remote meetings away from Sacramento and Telephonic meetings.

Mr. Spanos reminded the committee members that whatever Conflict of Interest Code the Board adopts will require FPPC approval.

Chairman Pringle asked that the Agenda items material distribution be available to the public on the website at least within the requirements of the Brown Act, if not earlier.

Chairman Pringle requested some policy be written in the document discussing the hiring of executive officers, the establishment of their annual goals and their annual performance evaluation.

Mr. Kopp asked Mr. Spanos to compile a document clarifying the parameters of the Board engaging in discussions with contractors or bidders and any pre-award contact.

Staff provided a review of the hiring processes for senior Authority staff positions and recommended moving forward in line with the Authority's organizational plan. Mr. Spanos will look into the CEO hiring options available to the Authority. Chairman Pringle said he is not against hiring a professional search firm to find a qualified candidate, however the timeline is very short to fill the position and a search firm may take many months to find candidates and arrange for the interviewing process.

It was suggested by Mr. Kopp that a search firm not be used, due to the cost. He feels the California High Speed Rail Authority has a great deal of interest throughout the world and when an announcement is released seeking a CEO, there will be plenty of interest. Mr. Kopp said the Board Members should be involved in the hiring process and ultimately make the final choice. Chairman Pringle suggested the Peer Review Group take a look at the final candidates when they are available.

It was determined that staff is not capable of taking on the responsibility of the hiring process. Mr. Morshed suggested the Board think about hiring a Search Firm since the current staff doesn't have the time to handle a hiring campaign. Mr. Kopp added; staff should not be involved in the hiring process for the executive position of CEO.

Ms. Florez suggested the Board look to the experience of their members, such as Mr. Pringle and Mr. Diridon, to help in the hiring process. Mr. Pringle suggested the committee make the recommendation to the full board tomorrow to hire a firm as an employment processor to handle the gathering of applications and/or checking references, etc. Chairman Pringle stated the committee would present the criteria needed for the CEO search at the full Board meeting the following day.

Chairman Pringle asked for any further business and with no response the meeting was adjourned at 3:40 p.m.